

1 AN ACT concerning state personnel.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Personnel Code is amended by changing
5 Section 8c as follows:

6 (20 ILCS 415/8c) (from Ch. 127, par. 63b108c)

7 Sec. 8c. Jurisdiction C; conditions of employment. For
8 positions in the State service subject to the jurisdiction of
9 the Department of Central Management Services with respect to
10 conditions of employment:

11 (1) For establishment of a plan for resolving employee
12 grievances and complaints, excluding compulsory arbitration.

13 (2) For hours of work, holidays, and attendance
14 regulation in the various classes of positions in the State
15 service; for annual, sick and special leaves of absence, with
16 or without pay or with reduced pay; for compensatory time off
17 for overtime or for pay for overtime, and for the rate at
18 which compensatory time off is to be allowed or for the rate
19 which is to be paid for overtime. If the services of an
20 employee in the State service are terminated by reason of his
21 retirement, disability or death, he, or his estate, as the
22 case may be, shall be paid a lump sum, for the number of days
23 for leave for personal business which the employee had
24 accumulated but not used as of the date his services were
25 terminated, in an amount equal to 1/2 of his pay per working
26 day times the number of such leave days so accumulated and
27 not used.

28 (3) For the development and operation of programs to
29 improve the work effectiveness and morale of employees in the
30 State service, including training, safety, health, welfare,
31 counseling, recreation, employee relations, a suggestion

1 system, and others.

2 Employees whose tuition and fees are paid by the State,
3 either directly or by reimbursement, shall incur a work
4 commitment to the State. Employees whose State paid training
5 has not led to a postsecondary degree shall be obligated to
6 continue in the employ of the State, but not necessarily in
7 the same agency, for a period of at least 18 months following
8 completion of the most recent course. Employees whose State
9 paid training has led to a postsecondary degree and whose
10 State payments have paid for 50% or more of the required
11 credit hours shall be obligated to continue in the employ of
12 the State, but not necessarily in the same agency, for a
13 minimum of 4 years after receiving the degree.

14 If the employee does not fulfill this work commitment by
15 voluntarily leaving State employment, the State may recover
16 payments in a civil action and may also recover interest at
17 the rate of 1% per month from the time the State makes
18 payment until the time the State recovers the payment. The
19 amount the State may recover under this subsection (3) shall
20 be reduced by 25% of the gross amount paid by the State for
21 each year the employee is employed by the State after the
22 employee receives a postsecondary degree, and 1/18th of the
23 gross amount paid by the State for each month the employee is
24 employed by the State after the employee completes the most
25 recent course which has not led to a postsecondary degree.

26 The State shall not recover payments for course work or a
27 training program that was (a) started before the effective
28 date of this Act; (b) completed as a requirement for a
29 grammar school certificate or a high school diploma, to
30 prepare for a high school level General Educational
31 Development Test or to improve literacy or numeracy; (c)
32 specialized training in the form of a conference, seminar,
33 workshop or similar arrangement offered by public or private
34 organizations; (d) provided as part of the Upward Mobility

1 Program administered by the Department of Central Management
2 Services; or (e) a condition of continued employment.

3 Department of State Police employees who are enrolled in
4 an official training program that lasts longer than one year
5 or more shall incur a work commitment to the Department for a
6 period of time equal to 2 times the length of the training
7 program State. ~~The--work--commitment--shall--be--2--months--for~~
8 ~~each--month--of--completed--training.~~ Failure ~~If--the--employee~~
9 ~~fails~~ to fulfill this work commitment by voluntarily leaving
10 State Police employment shall result in the Department's
11 ability to recover wages paid to the employee during the
12 training program reduced by the amount of wages paid after
13 completion of the training program. Interest at the rate of
14 1% per month from the date the Department pays the wages
15 until the employee leaves State Police employment may also be
16 recovered. ~~,--the--State--may--recoover--wages--in--a--civil--action~~
17 ~~and--may--also--recoover--interest--at--the--rate--of--1%--per--month~~
18 ~~from--the--time--the--State--makes--payment--until--the--time--the~~
19 ~~State--recovers--the--payment,--The--amount--the--State--may--recoover~~
20 ~~under--this--subsection--(3)--shall--be--reduced--by--the--number--of~~
21 ~~months--served--after--the--training--is--completed--times--the~~
22 ~~monthly--salary--at--the--time--of--separation.~~

23 The Department of Central Management Services shall
24 promulgate rules governing recovery activities to be used by
25 all State agencies paying, whether directly or by
26 reimbursement, for employee tuition and fees. Each such
27 agency shall make necessary efforts, including pursuing
28 appropriate legal action, to recover the actual
29 reimbursements and applicable interest due the State under
30 this subsection (3).

31 (4) For the establishment of a sick pay plan in
32 accordance with Section 36 of the State Finance Act.

33 (5) For the establishment of a family responsibility
34 leave plan under which an employee in the State service may

1 request and receive a leave of absence for up to one year
2 without penalty whenever such leave is requested to enable
3 the employee to meet a bona fide family responsibility of
4 such employee. The procedure for determining and documenting
5 the existence of a bona fide family responsibility shall be
6 as provided by rule, but without limiting the circumstances
7 which shall constitute a bona fide family responsibility
8 under the rules, such circumstances shall include leave
9 incident to the birth of the employee's child and the
10 responsibility thereafter to provide proper care to that
11 child or to a newborn child adopted by the employee, the
12 responsibility to provide regular care to a disabled,
13 incapacitated or bedridden resident of the employee's
14 household or member of the employee's family, and the
15 responsibility to furnish special guidance, care and
16 supervision to a resident of the employee's household or
17 member of the employee's family in need thereof under
18 circumstances temporarily inconsistent with uninterrupted
19 employment in State service. The family responsibility leave
20 plan so established shall provide that any such leave shall
21 be without pay, that the seniority of the employee on such
22 leave shall not be reduced during the period of the leave,
23 that such leave shall not under any circumstance or for any
24 purpose be deemed to cause a break in such employee's State
25 service, that during the period of such leave any coverage of
26 the employee or the employee's dependents which existed at
27 the commencement of the leave under any group health,
28 hospital, medical and life insurance plan provided through
29 the State shall continue so long as the employee pays to the
30 State when due the full premium incident to such coverage,
31 and that upon expiration of the leave the employee shall be
32 returned to the same position and classification which such
33 employee held at the commencement of the leave. The Director
34 of Central Management Services shall prepare proposed rules

1 consistent with this paragraph within 45 days after the
2 effective date of this amendatory Act of 1983, shall promptly
3 thereafter cause a public hearing thereon to be held as
4 provided in Section 8 and shall within 120 days after the
5 effective date of this amendatory Act of 1983 cause such
6 proposed rules to be submitted to the Civil Service
7 Commission as provided in Section 8.

8 (6) For the development and operation of a plan for
9 alternative employment for any employee who is able to
10 perform alternative employment after a work related or
11 non-work related disability essentially precludes that
12 employee from performing his or her currently assigned
13 duties. Such a plan shall be voluntary for any employee and
14 nonparticipation shall not be grounds for denial of any
15 benefit to which the employee would otherwise be eligible.
16 Any plan seeking to cover positions for which there is a
17 recognized bargaining agent shall be subject to collective
18 bargaining between the parties.

19 (7) For the development and operation of an Executive
20 Development Program to provide scholarships for the receipt
21 of academic degrees or senior executive training beyond the
22 Bachelor's degree level for as many as 25 employees at any
23 given time:

24 (i) each of whom is nominated for such scholarship
25 by the head of the employee's agency and approved by the
26 Director;

27 (ii) who are subject to Term Appointment under
28 Section 8b.18 or who would be subject to such Term
29 Appointment but for Federal funding or who are exempt
30 from Jurisdiction B under subsections (2), (3) or (6) of
31 Section 4d of this Act:

32 (iii) who meet the admission standards established
33 by the institution awarding the advanced degree or
34 conducting the training;

1 (iv) each of whom agrees, as a condition of
2 accepting such scholarship, that the State may recover
3 the scholarship by garnishment, lien or other appropriate
4 legal action if the employee fails to continue in the
5 employ of the State, but not necessarily in the same
6 agency, for a minimum of 4 years following receipt of an
7 advanced degree or training and that the State may charge
8 interest from the time of payment until the time of
9 recovery of such scholarship of no less than 1% per month
10 or 12% per annum on all funds recovered by the State.
11 The amount the State may recover under this Section will
12 be reduced by 25% of the gross amount paid by the State
13 for each year of employment following receipt of the
14 advanced degree or training.

15 The Director shall in approving eligible employees for
16 the Executive Development Program make every attempt to
17 guarantee that at least 1/3 of the employees appointed to the
18 program reflect the ratio of sex, race, and ethnicity of
19 eligible employees.

20 Such scholarships shall not exceed the amount established
21 for tuition and fees for the applicable advanced degree or
22 training at State universities in Illinois whether the
23 employee enrolls at any Illinois public or private
24 institution, and shall not include any textbooks or equipment
25 such as personal computers.

26 The Department of Central Management Services shall make
27 necessary efforts, including appropriate legal action, to
28 recover scholarships and interest thereupon due subject to
29 recovery by the State under Subparagraph (iv) of this
30 Subsection (7).

31 (Source: P.A. 91-357, eff. 7-29-99.)

32 Section 99. Effective date. This Act takes effect on
33 January 1, 2002.